

Bill no.:	<u>Title III</u> <u>H.L.C. Subtitle F</u>
Amendment no.:	<u>1d</u>
Date offered:	<u>6/10/97</u>
Disposition:	<u>withdraw</u>

AMENDMENT OFFERED BY **Ms. DEGETTE**
TO THE **CHILD HEALTH SUBSTITUTE** OFFERED By
MR. BILIRAKIS

Page 7, after line 4, insert the following:

1 “(3) **USE OF PRESUMPTIVE ELIGIBILITY PRO-**
2 **CEDURES.**—Using procedures, such as presumptive
3 eligibility, in order to maximize the enrollment of
4 children under such programs.

Add at the end the following new section:

5
6 **SEC. 3504. MEDICAID PRESUMPTIVE ELIGIBILITY FOR LOW.**
7 **INCOME CHILDREN.**

8 (a) **IN GENERAL.**—Title **XIX** of the Social Security
9 Act is amended by inserting after section 1920 the follow-
10 ing new section:

11 **“PRESUMPTIVE ELIGIBILITY FOR CHILDREN**

12 **“SEC. 19208. (a)** A State plan approved under sec-
13 tion 1902 may provide for making medical assistance with
14 respect to health care items and services covered under
15 the State plan available to a child during a presumptive
16 eligibility period.

17 **“(b)** For purposes of this section:

18 **“(1)** The term ‘child’ means an individual
19 under 19 years of age.

1 “(2) The term ‘presumptive eligibility period
2 means, with respect to a child, the period that-

3 “(A) begins with the date on which a
4 qualified entity determines, on the basis of pre-
5 liminary information, that the family income of
6 the child does not exceed the applicable income
7 level of eligibility under the Stats plan, and

8 “(B) ends with (and includes) the earlier
9 o f -

10 “(i) the day on ~~which~~ a determination
11 is made with respect to the eligibility of
12 the child for medical assistance under the
13 State plan, or

14 “(ii) in the case of a child on whose
15 behalf an application is not filed by the
16 last day of the month following the month
17 during which the entity makes the deter-
18 mination referred to in subparagraph (A),
19 such last day.

20 “(3)(A) Subject to subparagraph (B), the term
21 ‘qualified entity’ means any entity that-

22 “(i)(I) is eligible for payments under a
23 State plan approved under this title and pro-
24 vides items and services described in subsection
25 (a) or (II) is authorized to determine eligibility

1 of a child to participate in a Head Start pro-
2 gram under the Head Start Act (42 U.S.C.
3 9821 et seq.), eligibility of a child to receive
4 child care services for which financial assistance
5 is provided under the Child Care and Develop-
6 ment Block Grant Act of 1990 (42 U.S.C. 9858
7 et seq.), eligibility of an infant or child to re-
8 ceive assistance under the special supplemental
9 nutrition program for women, infants, and chil-
10 dren (WIC) under section 17 of the Child Nu-
11 trition Act of 1966 (42 U.S.C. 1786); and

12 “(ii) is determined by the State agency to
13 be capable of making determinations of the type
14 described in paragraph (1)(A).

15 “(B) The Secretary may issue regulations fur-
16 ther limiting those entities that may become quali-
17 fied entities in order to prevent fraud and abuse and
18 for other reasons.

19 “(C) Nothing in this section shall be construed
20 as preventing a State from limiting the classes of en-
21 tities that may become qualified entities, consistent
22 with any limitations imposed under subparagraph
23 (B).

24 “(c)(1) The State agency shall provide qualified enti-
25 ties with—

1 “(A) such forms as are necessary for an appli-
2 cation to be made on behalf of a child for medical
3 assistance under the State plan, and

4 “(B) information on how to assist parents,
5 guardians, and other persons in completing and fil-
6 ing such forms.

7 “(2) A qualified entity that determines under sub-
8 section (b)(1)(A) that a child is presumptively eligible for
9 medical assistance under a State plan shall—

10 “(A) notify the State agency of the determina-
11 tion within 5 working days after the date on which
12 determination is made, and

13 “(B) inform the parent or custodian of the
14 child at the time the determination is made that an
15 application for medical assistance under the State
16 plan is required to be made by not later than the
17 last day of the month following the month during
18 which the determination is made.

19 “(3) In the case of a child who is determined by a
20 qualified entity to be presumptively eligible for medical as-
21 sistance under a State plan, the parent, guardian, or other
22 person shall make application on behalf of the child for
23 medical assistance under such plan by not later than the
24 last day of the month following the month during which
25 the determination is made, which application may be the

1 application used for the receipt of medical assistance by
2 individuals described in section 1902(l)(1).

3 “(d) Notwithstanding any other provision of this title,
4 medical assistance for items and services described in sub-
5 section (a) that—

6 “(1) are furnished to a child—

7 “(A) during a presumptive eligibility pe-
8 riod,

9 “(B) by a entity that is eligible for pay-
10 ments under the State plan; and

11 “(2) are included in the care and services cov-
12 ered by a State plan;

13 shall be treated as medical assistance provided by such
14 plan for purposes of section 1903.”.

15 (b) CONFORMING AMENDMENTS.—(1) Section
16 1902(a)(47) of such Act (42 U.S.C. 1396a(a)(47)) is
17 amended by inserting before the semicolon at the end the
18 following: “and provide for making medical assistance for
19 items and services described in subsection (a) of section
20 1920A available to children during a presumptive eligi-
21 bility period in accordance with such section”.

22 (2) Section 1903(u)(1)(D)(v) of such Act (42 U.S.C.
23 1396b(u)(1)(D)(v)) of such Act is amended by inserting
24 before the period at the end the following: “or for items
25 and services described in subsection (a) of section 1920A

1 provided to a child during a presumptive eligibility period
2 under such section”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall take effect on the date of the enactment
5 of this Act.

**AMENDMENT OFFERED BY MR. WAXMAN
TO THE MEDICAID SUBSTITUTE OFFERED BY MR.
BILIRAKIS**

(References to page and line numbers of the Committee Print
of June 6, 1997)

Strike section 3413 (page 10, lines 7 through 13).